

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RANDY L. HAYNES,	)	
	)	
Plaintiff,	)	4:05cv3271
	)	
vs.	)	ORDER to SHOW CAUSE
	)	(Service of Process)
NEBRASKA DEPARTMENT OF	)	
CORRECTIONAL SERVICES, et al,	)	
	)	
Defendants.	)	

This matter is before the court sua sponte. Fed. R. Civ. P. 4(m) establishes a time limit for service of process on the defendants in a civil case. In the court's Order on Initial Review directing the issuance of summons forms, the court notified the plaintiff of the deadline for service of process on the defendants. The plaintiff was warned that failure to return completed forms for timely service of process by the U.S. Marshal on the defendants could result in dismissal of this matter without prejudice. The deadline for service of process has expired, and the court's records show no return of the forms for service of process and no proof of service of process on any defendant.

**THEREFORE, IT IS ORDERED:**

1. That by **August 30, 2006**, the plaintiff may file a pleading entitled Response to Order to Show Cause explaining any reason he may have why the above-entitled case should not be dismissed, without prejudice, for failure to obtain timely service of process on any defendant; and
2. That in the absence of a timely and sufficient Response to Order to Show Cause, this case may be subject, without further notice, to dismissal without prejudice by Chief Judge Joseph F. Bataillon.

DATED this 16<sup>th</sup> day of August, 2006.

BY THE COURT:

s/ F. A. GOSSETT  
United States Magistrate Judge